

BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 16, 2006 - KL

Division: County Attorney

Bulk Item: Yes X No

Department: County Attorney

Staff Contact Person: Susan Grimsley, #3477

AGENDA ITEM WORDING:

Public hearing to consider adoption of an ordinance to change boundaries for Districts IV and V as approved by the Tourist Development Council at its meeting of April 11, 2006.

ITEM BACKGROUND:

District Advisory Committees are unable to fill vacancies until the boundaries have been changed. This revision more specifically defines the boundaries of Districts IV and V as desired by the District Advisory Committees and the TDC.

PREVIOUS RELEVANT BOCC ACTION:

Ordinance No. 052-2000, Revision of boundaries.
On 4/19/06 BOCC approved the scheduling of a public hearing.

CONTRACT/AGREEMENT CHANGES:

NA

STAFF RECOMMENDATIONS:

Approval.

TOTAL COST: N/A

BUDGETED: Yes No

COST TO COUNTY: N/A

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No

AMOUNT PER MONTH **Year**

APPROVED BY: County Atty ATG OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

Suzanne A. Hutton
SUZANNE A. HUTTON, COUNTY ATTORNEY

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM #

**NOTICE OF INTENTION TO CONSIDER
ADOPTION OF COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **May 16, 2006 at 3:00 P.M.** at the Key Largo Library, Tradewinds Shopping Center, 101485 Overseas Highway, Mile Marker 101, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING SECTION 2-299(G)(4) AND 2-299(G)(5) OF THE MONROE COUNTY CODE CONCERNING THE TOURIST DEVELOPMENT COUNCIL TO SPECIFY THE SOUTHERN BOUNDARY OF DISTRICT 4 AND REVISE THE BOUNDARY BETWEEN DISTRICT IV AND DISTRICT V; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 20th day of April, 2006.

DANNY L. KOLHAGE, Clerk of the Circuit Court
and ex officio Clerk of the Board of County
Commissioners of Monroe County, Florida

(SEAL)

Publication dates:

Reporter	(Fr) 4/28/06	(Fr) 5/5/06
Keynoter	(Sa) 4/29/06	(Sa) 5/6/06
KW Citizen	(Su) 4/30/06	(Su) 5/7/06

ORDINANCE NO -2006

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING SECTION 2-299(G)(4) AND 2-299(G)(5) OF THE MONROE COUNTY CODE CONCERNING THE TOURIST DEVELOPMENT COUNCIL TO SPECIFY THE SOUTHERN BOUNDARY OF DISTRICT 4 AND REVISE THE BOUNDARY BETWEEN DISTRICT IV AND DISTRICT V; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Tourist Development Council met April 11, 2006, and recommended that the southern boundary of District IV be specified by designating its southern boundary Mile Marker; and

WHEREAS, at the same meeting the Tourist Development Council recommended that the boundary between District IV and District V be revised to coincide with the northern municipal boundary of Islamorada, Village of Islands ; and

WHEREAS, the recommendation was made solely to provide for a municipality to be wholly contained within one district;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Sections 2-299(G)(4) and (5), Monroe County Code, are hereby amended to read:

- (4) District IV: Between the Long Key Bridge (Mile Marker 72.658) and Mile Marker 90.939; and

- (5) District V: From Mile Marker 90.940 to the Dade/Monroe County line and any mainland portions of Monroe County.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the _____ day of _____, 2006.

Mayor Charles "Sonny" McCoy
Commissioner George Neugent
Commissioner Murray Nelson
Commissioner Dixie Spehar
Commissioner Nora Williams

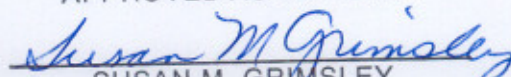
DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


SUSAN M. GRIMSLEY
ASSISTANT COUNTY ATTORNEY

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MONROE COUNTY TOURIST DEVELOPMENT COUNCIL

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MEMORANDUM

DATE: March 23, 2006
TO: Monroe County Tourist Development Council
FROM: Harold Wheeler, Director
RE: DAC IV Boundaries

see M. 8 next page

At the September 6, 2000 TDC meeting, the Board approved a request of then DAC IV representative Alexa Wheeler and County Commissioner Nora Williams to ask the BOCC to adjust the boundary lines for DAC IV between the Long Key Bridge to Tavernier Creek (mm 90.7 as provided by Ms. Wheeler) so to reflect the boundaries of the Islamorada Village of Islands. The BOCC held a public hearing on November 21, 2000 and approved ordinance # 052-2000 to reflect the change.

It has come to our attention that the Islamorada Village of Islands actual boundaries are as follows: South – Mile Marker 72.658; North – Mile Marker 90.939. Taking into consideration current tourism related businesses and possible future development that may be established between the present boundary of 90.7 to that of the actual of 90.939, we should make this adjustment. Upon the approval of the TDC, the County Attorney's office would bring forward the request to the BOCC to advertise a public hearing and subsequently process the amendment to reflect the change.

Consideration and Action to request the BOCC to amend Ordinance 052-2000 to read as follows:

District IV: Between the Long Key Bridge (MM 72.658) and Mile Marker 90.939 and;
District V: From Mile Marker 90.940 to the Dade/Monroe county line and any mainland portions of Monroe County.

M.7: Consideration and Action re: Website Management Plan: Mr. Wheeler reviewed the Website Management Plan of Action which will be used to oversee the development of the new site and provide the means to monitor the website program. It has been recommended by the District I Advisory Committee that a new staff position be created with the responsibility of overseeing the TDC website. Mr. Wheeler recommended that the position title would be "Web Editor" and funding would come from the Public Relations/Events Resource account.

Mayor Freeman moved approval of the Website Management Plan and Web Editor position, allocating an amount of \$30,000, FY 2001 event resources to PR expenses, Ms. Sharpe seconded. Motion passed unanimously.

M.8: Consideration and Action re: TDC District Boundaries: TDC at their March meeting recommended that the BOCC make every effort to align the districts with the city boundaries when municipalities come into effect. Commissioner Williams has requested clarification be provided.

After considerable discussion, Ms. Wheeler moved approval to change to Ordinance 015-1988 to realign the District IV northern boundary to mile marker 90.7 (Tavernier Creek Bridge), Ms. Sharpe seconded. A roll call vote was taken with the following results:

Mayor Shirley Freeman	Yes
Mr. Robert Padron	Yes
Ms. Christina Sharpe	Yes
Commissioner Carmen Turner	Yes
Ms. Alexa Wheeler	Yes
Capt. Bill Wickers	Yes. Motion passed.

M.9: Consideration and Action re: Event Contract Reimbursement Deadline: Ms. Sharpe moved approval of the following event contract reimbursement deadline wording:

"Event sponsor fully understands that funding is obtained from tourist development taxes for which the fiscal year ends September 30. Event sponsor also understands that the funding process through which this contract was made available by County requires event sponsors to submit their payment requests as quickly as possible and to finalize all such requests before the end of the fiscal year, if at all possible. In order for the tourist development taxes to be utilized most effectively for the purpose for which they were authorized, attracting and promoting tourism, the budgeting process of the County requires the event's funding to be concluded in a timely manner. In recognition that the timeliness of payment requests is of extreme importance to the funding of future advertising and promotion for the stability of the tourist-based economy, Event Sponsor agrees to submit by September 30 (of the fiscal year for which the event was funded) all invoices and support documentation as required by the County's Finance Department rules and policies. Event sponsor shall not be reimbursed nor will Event Sponsor's vendors be paid directly for any invoices received after September 30 of said fiscal year, except that for events with promotional expenditures occurring from August 1 through September 30, invoices must be submitted within ninety (90) days of the conclusion of the event."